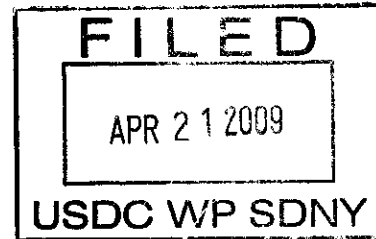


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
MARTHA RAMOS,
on behalf of herself and all others similarly situated,

CLASS ACTION COMPLAINT

Plaintiff,

-against-

09 CIV. 3974

ARROW FINANCIAL SERVICES LLC

Defendant

JUDGE KOELTL

-----X
Plaintiff, by and through her undersigned attorney, alleges upon knowledge as to herself and her own acts, and as to all other matters upon information and belief, brings this complaint against the above-named defendant and in support thereof alleges the following:

PRELIMINARY STATEMENT

1. Plaintiff brings this action on her own behalf and on behalf of all others similarly situated for damages and declaratory relief arising from the defendant's violation of §1692 *et seq.* of Title 15 of the United States Code, the Fair Debt Collections Practices Act (hereinafter "FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive and unfair practices.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331. This is an action for violation of 15 U.S.C. § 1692.

3. Venue is proper in this district under 28 U.S.C. § 1391(b)(2).

PARTIES

4. Plaintiff Martha Ramos is a resident of the State of New York, Bronx County. On or about April 22, 2008, plaintiff received an initial debt collection notice from defendant Arrow Financial Services LLC.

5. Defendant Arrow Financial Services LLC is a Delaware limited liability company engaged in the business of collecting debts. Defendant regularly attempts to collect debts alleged to be due another. Its Registered Agent is the C T Corporation System, 111 Eighth Avenue, New York, New York 10011.

CLASS ACTION ALLEGATIONS

6. Plaintiff brings this action as a nationwide class action, pursuant to Rule 23 of the Federal Rules of Civil Procedure (hereinafter "FRCP"), on behalf of ~~himself~~ and all consumers who have received debt collection notices and/or letters from the defendant which are in violation of the FDCPA, as of the date of plaintiff's complaint, and their successors in interest (the "Class"). Excluded from the Class is the defendant herein, and any person, firm, trust, corporation, or other entity related to or affiliated with the defendant, including, without limitation, persons who are officers, directors, employees, associates or partners of Arrow Financial Services LLC.

7. This action is properly maintained as a class action. This Class satisfies all the requirements of Rule 23 for maintaining a class action.

8. The Class is so numerous that joinder of all members is impracticable. Upon information and belief, hundreds of persons have received debt collection notices from the defendant which violate various provisions of the FDCPA.

9. There are questions of law and fact which are common to the Class and which predominate over questions affecting any individual Class member. These common questions of law and fact include, without limitation:

a. Whether the defendant violated various provisions of the FDCPA, including but not limited to 15 U.S.C. §§ 1692e, 1692g, 1692g(a)(2), 1692g(a)(4) and 1692g(a)(5).

b. Whether plaintiff and the Class have been injured by the defendant's conduct;

c. Whether plaintiff and the Class have sustained damages and are entitled to restitution as a result of defendant's wrongdoing and, if so, what is the proper measure and appropriate statutory formula to be applied in determining such damages and restitution; and

d. Whether plaintiff and the Class are entitled to declaratory relief.

10. Plaintiff's claims are typical of the claims of the Class, and plaintiff has no interests adverse or antagonistic to the interests of other members of the Class.

11. Plaintiff will fairly and adequately protect the interests of the Class and has retained experienced counsel, competent in the prosecution of class action litigation.

12. A class action is superior to other methods for the fair and efficient adjudication of the claims herein asserted. Plaintiff anticipates that no unusual difficulties are likely to be encountered in the management of this class action.

13. A class action will permit a large number of similarly situated persons to prosecute their common claims in a single forum simultaneously, efficiently, and without the duplication of effort and expense that numerous individual actions would engender. Class treatment also will permit the adjudication of relatively small claims by many Class members who could not otherwise afford to seek legal redress for the wrongs complained of herein. Absent a class action the Class members will continue to suffer losses of statutorily protected rights as well as monetary damages and if defendant's conduct will proceed without remedy it will continue to reap and retain the proceeds of its ill-gotten gains.

14. Defendant has acted on grounds generally applicable to the entire Class, thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to the Class as a whole.

STATEMENT OF FACTS

15. On or about April 22, 2008, defendant did send to the plaintiff an initial collection letter. Copy of said letter is annexed hereto as **Exhibit A**.
16. The April 22, 2008 letter attempted to collect \$839.35. The creditor is identified as Arrow Financial Services who claimed to have purchased a Sterling Financial Services Company debt.
17. Defendant received a letter which disputed the validity of the debt, disputed that Sterling Financial Services Company was a creditor and requested verification of the debt including the name and address of the original creditor. **Exhibit B**.
18. Defendant attempts to collect debts it claims to own despite its inability to verify or ascertain basic account information, such as the name and address of the original creditor and account verification.
19. As a result of defendant's abusive, deceptive and unfair debt collection practices, plaintiff has been damaged.

FIRST CAUSE OF ACTION (Violations of the FDCPA)

20. Each of the above allegations is incorporated herein.
21. Defendant's debt collection attempts violate various provisions of the FDCPA, including but not limited to 15 U.S.C. §§ 1692e, 1692g, 1692g(a)(2), 1692g(a)(4) and

1692g(a)(5) by falsely and deceptively attempting to collect debts it cannot evidence and by claiming it is the creditor of the account at issue.

22. As a result of defendant's violations of the FDCPA, plaintiff has been damaged and is entitled to statutory damages, costs and attorney's fees.

WHEREFORE, plaintiff respectfully requests that the Court enter judgment as follows:

a) Declaring that this action is properly maintainable as a class action and certifying plaintiff as Class representative;

b) Awarding plaintiff statutory damages;

c) Awarding class members the maximum statutory damages.

d) Awarding plaintiff costs of this action, including reasonable attorneys' fees and expenses; and

e) Awarding plaintiff such other and further relief as the Court may deem just and proper.

DEMAND FOR TRIAL BY JURY

Pursuant to Rule 38 of the FRCP, plaintiff hereby demands a trial by jury.

Dated: April 21, 2009
Uniondale, New York



Abraham Kleinman (AK-6300)
KLEINMAN LLC
626 RXR Plaza
Uniondale, New York 11556-0165
Telephone (516) 522-2621
Facsimile (888) 522-1692

EXHIBIT A

Please send all correspondence to:
5996 W Touhy Ave, Niles, IL 60714
Pay online at www.arrowcustomer.com



OFFICE HOURS: Central Time

Monday thru Thursday: 7:00am - 11:00pm
Friday: 7:00am - 11:00pm
Saturday: 8:00am - Noon
Sunday: 4:00pm - 8:00pm

Phone Number: 866-796-2380 Ext. 418

April 22, 2008

36065110-2015
Martha Ramos
1516 Rhineland Ave.
Bronx NY 10461-2206

ID NUMBER: 36065110
Re: STERLING FINANCIAL SERVICES COMPANY IN
Account #: 22501663
Total Current Balance: \$839.35

PAST DUE BALANCE

Dear Martha Ramos:

Arrow Financial Services LLC has purchased your STERLING FINANCIAL SERVICES COMPANY IN account with ADVANCED EDUCATIONAL RESOURCES INC. charges. As the new owner of your account, we would like to give you another chance to resolve your outstanding balance. Our company prides itself in working with our new customers to provide solutions to help you take a step towards resolving this matter.

Please take this opportunity to contact your account representative at our toll free number 866-796-2380 or pay online at www.arrowcustomer.com. We look forward to working with you.

Unless you notify us within 30 days after receiving this letter that you dispute the validity of the debt or any portion thereof, we will assume the debt is valid. If you notify us in writing 30 days after receiving this notice that the debt, or any portion thereof, is disputed, we will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such verification or judgment. Also, upon your written request within 30 days, we will provide you with the name and address of the original creditor if different from the current creditor.

Important notice required by law: This agency is engaged in the collection of debts. This communication is an attempt to collect a debt and any information obtained will be used for that purpose.

Sincerely,

BRENDA L MURRAY
BRENDA L MURRAY
Account Representative

10NAROW012015

PLEASE SEE REVERSE SIDE FOR IMPORTANT INFORMATION
X PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU! X

Please see reverse side if you would like to pay by credit card



ONAROW01
PO Box 1022
Wixom MI 48393-1022
ADDRESS SERVICE REQUESTED

ID NUMBER: 36065110
Re: STERLING FINANCIAL SERVICES COMPANY IN
Account #: 22501663
Total Current Balance: \$839.35

☐ Please check here if there is a new phone # or address change and enter information on reverse side.

#BWNH-RMD 0157292 0078362
#0422 1336 0076 3626# 36065110-2015

Martha Ramos
1516 Rhineland Ave
Bronx NY 10461-2206

627 BM2
Arrow Financial Services LLC
21031 Network Place
Chicago IL 60678-1031



0036065110 0000000022501663 2015 0000083935 5

Exhibit B

SHAKED & POSNER

ATTORNEYS-AT-LAW
255 WEST 36TH STREET
8TH FLOOR
NEW YORK, NEW YORK 10018

TEL (212) 494-0035
FAX (212) 300-2010

April 29, 2008

Arrow Financial Services
Attn: Dispute Department
21031 Network Place
Chicago, IL 60678-1031

Re: Sterling Financial Services Company In w/Martha Ramos
Your ID No. 36065110
Account No. 22501663
Disputed Amount: \$839.35

To Whom It May Concern:

Please be advised that I represent Martha Ramos.

Pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. §1692g, you are advised that the validity of this debt is disputed.

Please be further advised that my client disputes the assertion that this disputed Advanced Educational Resources account was purchased by Sterling Financial Services Company In.

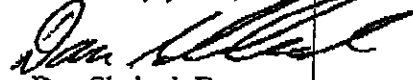
Please obtain verification of this disputed debt and send verification to Shaked & Posner.

Please send verification that Sterling Financial Services Company In purchased this Advanced Educational Resources account.

Please provide Shaked & Posner the full corporate name of the original creditor.

Please provide Shaked & Posner the address of the original creditor.

Very truly yours,


Dan Shaked, Esq.